

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

KHALIEF BYRD	§	
VS.	§	CIVIL ACTION NO. 9:25-CV-105
WARDEN BARTLETT, ET AL.	§	

MEMORANDUM OPINION AND ORDER

Plaintiff Khalief Byrd, a prisoner currently confined at the United States Penitentiary in Waymart, Pennsylvania, proceeding *pro se*, filed this civil rights action pursuant to *Bivens v. Six Unknown Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), against Warden Bartlett, Assistant Warden Ford, Captain Buckles, Lieutenant Dingess, Lieutenant Frankowisky, Officer Conner, Officer M. Jones, Officer B. Bread, Officer Beaubouef, Officer Fontenote, Officer Booker, Officer S. Walker, Officer A. Parks, Officer D. Hightower, Nurse Blankenship, and Dr. Ramos. Plaintiff alleges the defendants failed to provide him with medical treatment during his hunger strike while he was confined at the United States Penitentiary in Beaumont, Texas.

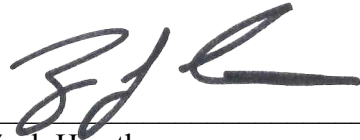
Discussion

When, as in this case, jurisdiction is not founded solely on diversity of citizenship, 28 U.S.C. § 1391 provides that venue is proper only in the judicial district where the defendants reside or in which the claim arose. However, under 28 U.S.C. § 1404(a), for the convenience of parties and witnesses and in the interest of justice, a district court may transfer any civil action to any other district or division where it could have been brought. Such a transfer may be done *sua sponte* and is reviewable only for an abuse of discretion. *Mills v. Beech Aircraft Corp.*, 886 F.2d 758, 761 (5th Cir. 1989).

Plaintiff complains about incidents that took place at the Beaumont penitentiary, which is located in the Beaumont Division of the United States District Court for the Eastern District of Texas. However, this case was filed in the Lufkin Division. The court has considered the circumstances and determined that the interests of justice would be served by transferring the complaint to the division in which the claims arose. It is accordingly

ORDERED that this civil rights action is **TRANSFERRED** to the Beaumont Division of the United States District Court for the Eastern District of Texas.

SIGNED this 31st day of March, 2025.

A handwritten signature in black ink, appearing to read 'Zack Hawthorn', is written over a horizontal line.

Zack Hawthorn
United States Magistrate Judge